

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ALVIN BALDUS, CARLENE BECHEN,
ELVIRA BUMPUS, RONALD BIENDSEI,
LESLIE W. DAVIS, III, BRETT ECKSTEIN,
GEORGIA ROGERS, RICHARD
KRESBACH, ROCHELLE MOORE, AMY
RISSEEUW, JUDY ROBSON, JEANNE
SANCHEZ-BELL, CECELIA SCHLIEPP,
TRAVIS THYSSEN, CINDY BARBERA, et
al.,

Plaintiffs,

vs.

Case No. 11-CV-562

Members of the Wisconsin Government
Accountability Board, each only in his official
capacity:

MICHAEL BRENNAN, DAVID DEININGER,
GERALD NICHOL, THOMAS CANE,
THOMAS BARLAND, TIMOTHY VOCKE,
and KEVIN KENNEDY, director and general
counsel for the Wisconsin Government
Accountability Board,

Defendants.

**MOTION TO INTERVENE OF F. JAMES SENSENBRENNER, JR., THOMAS E.
PETRI, PAUL D. RYAN, JR., REID J. RIBBLE, AND SEAN P. DUFFY**

F. James Sensenbrenner, Jr., Thomas E. Petri, Paul D. Ryan, Jr., Reid J. Ribble,
and Sean P. Duffy (collectively, the “Proposed Intervenor-Defendants”), by their undersigned
counsel, move the Court for leave to intervene as defendants in this action and to file the
accompanying [Proposed] Answer-in-Intervention. In support of this motion, and as more fully
set forth in the supporting memorandum filed herewith, the Proposed Intervenor-Defendants
state as follows:

BASIS FOR MOTION

1. The Proposed Intervenor-Defendants are entitled to intervene in this action as a matter of right, pursuant to Fed. R. Civ. P. 24(a), because they have an interest in this action. The Proposed Intervenor-Defendants are all citizens of Wisconsin and are all of Wisconsin's incumbent Republican Members of the United States House of Representatives. By virtue of their elected positions and their current intentions to seek re-election in November 2012, they have a direct interest in the proper redistricting of Wisconsin's Congressional districts.

2. This motion is timely, the Proposed Intervenor-Defendants possess an interest related to the subject matter of this action, the disposition of this action threatens to impair or impede that interest, and none of the current parties to this action adequately represents the interests of the Proposed Intervenor-Defendants. More specifically, the Proposed Intervenor-Defendants assert their interests in this action only as to issues arising from the Congressional-redistricting legislation enacted as 2011 Wisconsin Act 44. Conversely, they do not assert any interest as to issues arising from the distinct state legislative-redistricting legislation enacted as 2011 Wisconsin Act 43.

3. Intervention by the Proposed Intervenor-Defendants will allow all interested parties to participate in one action concerning the redistricting of Wisconsin's Congressional districts and will avoid the risk of inconsistent results, which may result from the filing of separate lawsuits.

4. Alternatively, permissive intervention is proper, pursuant to Fed. R. Civ. P. 24(b), based upon the commonality of issues between this action and the Proposed Intervenor-Defendants' rights and interests relating to redistricting. The Proposed Intervenor-Defendants seek to advance one or more of the same legal positions in support of the constitutionality and propriety of Act 44 as those advanced by the existing defendants.

5. Permissive intervention will not unduly delay or prejudice any of the current parties to the action because the Proposed Intervenor-Defendants seek to have facts considered and issues decided that have already been raised by the existing parties and which are already subjects of this litigation, and because the Proposed Intervenor-Defendants are prepared to litigate in accordance with the current schedule of proceedings.

RELIEF REQUESTED

The Proposed Intervenor-Defendants request that this Court enter an order granting their motion for leave to intervene and to file their proposed answer-in-intervention.

FOLEY & LARDNER LLP

Dated this 10th day of November, 2011.

s/ Thomas L. Shriner, Jr.

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